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IN THE FIJI COURT OF APPEAL
Criminal Appeal No. 28/90

BEFORE THE HON JUSTICE MICHAEL M HELSHAM
PRESIDENT OF THE FIJI COURT OF APPEAL
AND THE HON SIR MOTI TIKARAM
RESIDENT JUDGE OF APPEAL
AND THE HON MARI KAPI
JUDGE OF APPEAL

WEDNESDAY THE FOURTH DAY OF MARCH, 1992 AT 3.20 P.M.

BETWEEN:

ATUNAI SA VUNIVALU

APPELLANT

- VS -

S T A T E

RESPONDENT

MS N SHAMEEM &
MS L LAVETI

FOR THE RESPONDENT

O R D E R

JUSTICE HELSHAM : This case was called having been fixed for Hearing on the 28th of January.

On that occasion the Appellant appeared in person and he was informed of the date that his case was fixed for Hearing.

We are informed by the Deputy Director that he was given a copy of the court record. He does not appear, having been called, and there is no explanation for his not appearing this afternoon.

In those circumstances we think it proper that the appeal should be dismissed; but we reserve liberty to apply should he wish to make an application on some proper grounds for the restoration of his appeal.

Michael Lake

PRESIDENT
FIJI COURT OF APPEAL